

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>GREGORY A. MILTON,</b>	:	
<b>Plaintiff</b>	:	<b>No. 1:13-cv-02673</b>
	:	
<b>vs.</b>	:	<b>(Judge Kane)</b>
	:	
<b>UNITED STATES BUREAU OF</b>	:	
<b>PRISONS, et al.,</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 28th day of March 2017, in accordance with the accompanying memorandum, **IT IS ORDERED THAT:**

1. Plaintiff's motion for reconsideration (Doc. Nos. 61, 64 at 1) is **GRANTED** as unopposed;
2. Defendants' motion to dismiss and for summary judgment (Doc. 33) is **GRANTED** as set forth below:
  - a. Plaintiff's claims against the John and Jane Doe Defendants are **DISMISSED WITH PREJUDICE**;
  - b. Plaintiff's claims against the Bureau of Prisons and the individual Defendants in their official capacities are **DISMISSED WITH PREJUDICE**;
  - c. Plaintiff's claims against Defendants with respect to June 2011 charges, the July 28, 2011 hearing, and the April 5, 2012 rehearing are **DISMISSED WITHOUT PREJUDICE** pursuant to Heck v. Humphrey;
  - d. Plaintiff's claims related to the alleged interference with his mail are **DISMISSED WITHOUT PREJUDICE**;
  - e. Plaintiff's claims against Defendants Samuels, Nalley and Norwood are **DISMISSED WITHOUT PREJUDICE** for failure to adequately allege supervisory liability;
  - f. Summary judgment is entered against Plaintiff and in favor of Defendants Nye, Johnson, Reeves, and Cerney on Plaintiff's due process claims relating to the January 2011 and March 2011 charges;

- g. The Clerk of Court shall enter judgment in favor of Defendants and against Plaintiff as set forth in subparagraph (f); and
3. Having found that granting leave to file an amended complaint is futile, the above-captioned action shall remain closed.

s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania